

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
3:24-cv-00423-MR**

**RASHAUD HUSSEIN AZAR EL,
a/k/a Jerimy Love,**

Petitioner,

vs.

CABARRUS COUNTY, et al.,

Respondents.

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ORDER

THIS MATTER is before the Court on the Petition for Writ of Habeas Corpus, filed on April 25, 2024, by Petitioner Rasheud Hussein Azar El (a/k/a Jerimy Love). [Doc. 1].

Petitioner was a prisoner of the State of North Carolina most recently incarcerated at Central Prison in Raleigh, North Carolina. According to the North Carolina Department of Adult Corrections inmate locator, Petitioner has no active custodial sentence or parole term. In the pending petition, Petitioner appears to take issue with a previous conviction in the Superior Court of Cabarrus County, North Carolina, which is in the Middle District of North Carolina. [See Doc. 1].

State prisoner habeas corpus petitions may be brought either in the federal judicial district in which the state court of the conviction is located or

in the district of confinement. See 28 U.S.C. § 2241(d). The Petitioner seeks to challenge his conviction in Cabarrus County, which is located in the Middle District of North Carolina.¹ In accordance with 28 U.S.C. § 2241(d) and joint order of the United States District Courts for the Eastern, Middle and Western Districts of North Carolina (Joint Order, In re: Applications for Writs of Habeas Corpus (Oct. 26, 1966)), the Court shall transfer this action to the United States District Court for the Middle District of North Carolina.

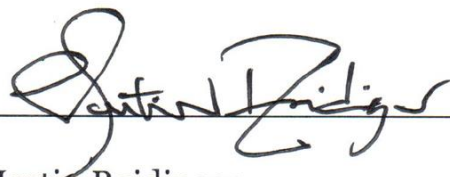
This Court has not conducted an initial review of the petition and makes no observation as to its merits or timeliness.

IT IS, THEREFORE, ORDERED that this action is transferred to the Middle District of North Carolina for further proceedings, including ruling on any pending motions.

The Clerk is instructed to terminate this action.

IT IS SO ORDERED.

Signed: May 1, 2024



Martin Reidinger
Chief United States District Judge



¹ See In re Shelton, 1 Fed. App'x 149 (4th Cir. 2001) (holding writ of error coram nobis was not available in federal court to attack state criminal judgment).